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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/823,938

03/30/2001

Robert Martin

0102374-00017

7589

7590

12/19/2005

David J. Powsner
Nutter, McClennen & Fish, LLP
One International Place
Boston, MA 02110-2699



EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Supplemental
Notice of Allowability**

Application No.

09/823,938

Examiner

Thjuan P. Knowlin

Applicant(s)

MARTIN ET AL.

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to IDS filed 11/07/05.
2. ☒ The allowed claim(s) is/are 1, 2, 4-7, 9-11, 13, and 16-22 (renumbered as 1-17, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

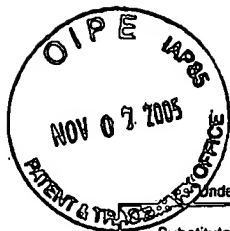
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/07/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner: Thjuan P. Knowlin
Phone: (571) 272-7486



PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/823,938-Conf. #7589
				Filing Date	March 30, 2001
				First Named Inventor	Robert Martin
				Art Unit	2642
				Examiner Name	T. P. Knowlin
Sheet	1	of	6	Attorney Docket Number	102374-0017

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (# known)			
CA	AA*	US-4,656,624	04-07-1987	Collins et al.	
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CA	AC*	US-4,771,425	09-13-1988	Baran et al.	
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Examiner Signature		Date Considered	12-15-05
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Substitute for form 1449A/B/PTO				Complete if Known	
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				Art Unit	2642
				Examiner Name	T. P. Knowlin
Sheet	2	of	6	Attorney Docket Number	102374-0017

AT1*	US-5,881,060	03-09-1999	Morrow et al.	
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BP	-WO 98/118235	04-30-1998	Caterisano, Terry A.			
BQ	-WO 99/34612	07-08-1999	Gunasekar, Duraisamy et al.			

Examiner Signature		Date Considered	12-15-05
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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		Examiner Name	T. P. Knowlin
		Attorney Docket Number	102374-0017
Sheet	3	of	6

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. * Applicant's unique citation designation number (optional). * See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. * Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). * For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. * Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. * Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
AP	CA	Yang et al., "A Taxonomy for Congestion Control Algorithms in Packet Switching Networks," <i>IEEE Network Magazine</i> , Vol. 9, pp. 1-17 (1995).	
AP	CB	IBM Nways ATM Solutions Fact Sheet, "Award-winning, industry-leading, low-cost, end-to-end ATM solutions," pp. 1-15 (March 11, 1997).	
AP	CC	Homework Dual Tech System for Circuit-Switched and IP Telephony," ADC Telecommunications, Inc., 6 pp. (1998)	
AP	CD	ADC Telecommunications, Inc., "High-Performance Homework™ 1550nm Optical Headend Platform Increases Capabilities for Distribution and Supertrunking," 1 pg. (June 4, 1997).	
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AP	CG	"ADC Provides Homework™ Telephony System to Nanjing CATV," printed from stele.adc.com , 1 pg. (09/13/00).	
AP	CH	ADC Telecommunications-Annual Report, "To our Shareholders," printed from media.corporate-ir.net/media...adct/adct_980909_200_100/letter.htm , pp. 1-3 (09/13/00).	
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AP	CJ	ADC Telecommunications, "Homework™ is HFComplete: A Lifeline White Paper, 4 pp., printed from bbg.adc.com/Educator/HFC/stories/lifeline/index.html (09/13/00).	
AP	CK	AG Communication Systems, "Infrastructure for DSL Solutions - AGCS," by Mark Emery, printed from agcs.com/techpapers/dsl_inf.htm , pp 1-6 (09/13/00).	
AP	CL	Lucent Technologies Press Release, "Lucent Technologies and VINA Technologies to integrate voice and data onto single line, reducing network costs," 2 pp. (06/02/98).	
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AP	CP	ISDN Overview, Chap. 4, pg. 102 and Part II: Computer Telephony Services, pg. 248.	
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AP	CS	Telephony over IP Statement of Work, "ANA Project Completion Report on CA*Phonell: Telephony over IP," printed from enfm.utcc.utoronto.ca/c2/voip/Final-Report.html , pp. 1-7 (09/02/00).	
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AP	CU	Yang, et al., "A Taxonomy for Congestion Control Algorithms in Packet Switching Networks," <i>IEEE Network Magazine</i> , Vol. 9, 16 pp., July/Aug. 1995.	
Examiner Signature			Date Considered 12-15-05

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				Art Unit	2642
				Examiner Name	T. P. Knowlin
Sheet	4	of	6	Attorney Docket Number	102374-0017

CV	Mishra, et al., "A Hop by Hop Rate-based Congestion Control Scheme," pp. 112-123 (1992).
CW	FOCUS - 88 of 89 Stories, Business Wire, Inc., 6 pp., March 5 1996, Wednesday.
CX	Joe Rinde, "Telephony in the Year 2003," MCI, Powerpoint presentation, 20 pp. (03/31/98).
CY	Steve Craddock, "Advancing IP Telephony with Residential Broadband," Spring '98 VON Conference, Powerpoint presentation, 17 pp. (04/01/98).
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CD1	Cisco Introduces First Internetworking Routers with Built-In DSR/CSU Telecommunications Functionality, printed from ieng.com/warp/public/146/pressroom/1996/Mar96, 2 pp. (09/06/00).
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CF1	"Fast & Furious," MICOM Communications Corp., 1 pg. (05/15/97).
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CR1	Asymmetric Digital Subscriber Line, Alcatel 1000 ADSL, 1 pg. (September 13, 2000)
CS1	Table of Contents, Cisco Systems Users Magazine, pp 1-37 (September 10, 2000)
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CU1	Jeffrey R. Shapiro, Computer Telephone Strategies, Chapter 12: CT and the Cyberspace Phenominon, 8 pp.
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Sheet	5	of	6	Attorney Docket Number	102374-0017

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CY2	Nortel Networks, Products V/IP webpage, 2pp.
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CH3	Table of Contents, Cisco Systems Users Magazine, 36pp. (1997)
CI3	Paradyne Press Release, Paradyne and e-Net Join Forces to Deliver Low-Cost, high-Speed

Examiner
SignatureDate
Considered

12-15-25

Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/823,938-Conf. #7589
				Filing Date	March 30, 2001
				First Named Inventor	Robert Martin
				Art Unit	2642
				Examiner Name	T. P. Knowlin
Sheet	6	of	6	Attorney Docket Number	102374-0017

<i>[Signature]</i>		Hig-Fidelity DSL-Supercharged Data Telephony, 4pp. (June 9, 1997))	
<i>[Signature]</i>	CJ3	PowerVoice Illustration, 1p, April 1997.	
<i>[Signature]</i>	CK3	Voice Across the Internet, PC Magazine Online, 2pp. (10/21/1997)	
<i>[Signature]</i>	CL3	Vienna.way: Doing it Your Way, PC Magazine Online, 4pp. (10/21/1997)	
<i>[Signature]</i>	CM3	Micom, V/IP Voice Gateway, PC Magazine Online, 3pp. (10/21/1997)	
<i>[Signature]</i>	CN3	RHCs Handle IP the Vienna Way, internetTelephony News Of The Week, 2pp. (September 3, 1996)	
<i>[Signature]</i>	CO3	Search results for articles about Alcatel and Pots Splitter, 26pp. (1998)	
<i>[Signature]</i>	CP3	Search results for articles about Homeworx access platform and ADC, 10pp. (1995-1996)	
<i>[Signature]</i>	CQ3	Search results for articles about Homeworx and Voice and ADC, 25pp. (1996, 1997)	
<i>[Signature]</i>	CR3	Search results for articles about Vina /100 bundle, 52pp. (1997, 1998)	
<i>[Signature]</i>	CS3	Search results for articles about Vienna Systems and Voice, Video or LAN, 18pp. (1996, 1997)	
<i>[Signature]</i>	CT3	Search results for articles about Vienna Systems and voice, or data or integrat, 36pp. (1997, 1998)	
<i>[Signature]</i>	CU3	Inter-Tel Illustration from April 1997, 1p.	
<i>[Signature]</i>	CV3	Computer Telephony, Vol. 4, Issue 9, 5 pp. (December 1996).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant's unique citation designation number (optional). *Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	<i>[Signature]</i>	Date Considered	12-15-05
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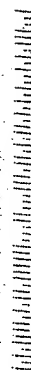
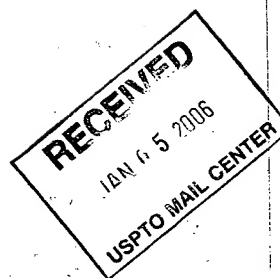
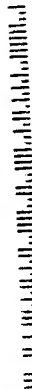
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